

**Regular Meeting of Briny Breezes Inc. Board of Directors**  
**Thursday November 12, 2015**  
**At 9:00 A.M.**

**Briny Breezes Community Center**

**Minutes**

- I. The Pledge of Allegiance was recited and a moment of silence observed.
- II. The meeting was called to order by President Michael Gallacher. Roll call was done by Secretary Brannen. Present in the Community Center were Directors Brannen, Coyner, Gallacher, Gross, , McMorro, Oglesby and Stewart. Director Long present via phone. GM Theresa Pussinen was present.
- III. Proof of Notice was posted Monday November 9, 2015 at 9 A.M.
- IV. Approval of previous board meeting minutes. Secretary Brannen moved that we waive the reading of the minutes and approve minutes from Special Board meetings held in September through October to include September 2<sup>nd</sup> Interim Budget Meeting and the Special meeting which followed; September 14<sup>th</sup> Special Board meeting; October 23<sup>rd</sup> Special Board meeting; and Closed Special Board minutes of September 11,2015 and November 4, 2015. Second.  
***Passed unanimously.***
- V. **Reading of Correspondence to the Board**
  - a. Letter from Mikee Rulli A- 10 re: Fence South Border of Briny
  - b. Letter from Annaliese Welty- J205: temporary beach structure
  - c. Letter from Arianna Welty J-205 re: temporary Beach structure
  - d. Letter from Beverly Mosher Q-213 re: temporary beach structure
  - e. Tim Brady CD-1 re: beach structure and letter from Florida Dept of Environmental Protection
  - f. Joe Masterson M-204 re: letter denoting necessary property repairs
  - g. Arthur LeBlanc- L210 re: Summer purchase offer
  - h. Letter from shareholders from CD-10, E-9, F-208, K-26, J-203, E-11, J-10, N-205, I-8, F-2, B-1, CD-2, CD-1, E-1, A-3
- VI. **General Managers report:** Theresa Pussinen welcomed everyone back. The GM highlighted some of the recent accomplishments to include Club House and Auditorium roofs; pool pavers sealed and replaced as needed; Pipes have been lined in District 1 and 2 and rerouted where necessary; the sidewalk in front of the office has been painted; Impact windows have been installed at the clubhouse and pharmacy; Beautiful new foliage has been planted throughout the park; the medians have been spruced up on the boulevard and at the clubhouse; the old pink guest badges have been retired and replaced with the new "Briny Blue". Further the summer months allowed the opportunity to inspect the property for areas that needed attention. Many stockholders readily complied with requests for repairs and were appreciative. A meeting with AT&T will be scheduled shortly to assist shareholders who have questions re: the functioning of the services.
- VII. **Report of Officers**
  - a. President: Welcome back; lots going on with plans for other things, many projects accomplished this summer.
  - b. Treasurer Stewart reported that as of October 31, 2015 the following: Operating Cash \$644,015.96; Park Improvement Cash \$236,312.25; Catastrophe Cash Fund \$114,990.36; Reserve Cash \$341,078.70 for a total operating and reserve cash of \$1,336,397.27. As of 10/31/2015 Delinquent Accounts were \$43,269.12 and Delinquent Yacht Basin at

\$21,519.82. The office is contacting those in arrears and is making progress. These numbers are consistent with previous numbers for the same time period. Use of credit cards may facilitate the process.

Income as of 10/31/15 reported at \$219,434.71 with disbursements for the same time period \$140,074.82

No other reports from the Officers

VIII. **Report – Chief of Police:** Chief Hutchins was not able to attend today’s meeting. No report today.

IX. **Town Liaison Report:** Sue Thaler, President of the Town Council said that because the upcoming election year is a major one, there is a change in the qualifying period for people who might want to run for a Town position; usually the Town does this at the end of January. This year it has to be done this month, in fact this week. The positions include Town council members, Mayor, Town clerk; If people do not fill these positions, or someone vacates a position mid term, the town can appoint someone if only 1 resident steps forward. Since one needs to be registered to vote in Briny to qualify, the pool of possible volunteers is small. Sue said there have been ongoing discussions re: legal golf cart passing on sidewalks and across A1A. The options posed at this time are to widen all of the east side A1A sidewalks which would require a variance from the utilities and an approved crossing OR a change in the Rules to require that all golf carts become a “street legal vehicle”/”low speed vehicles.” Question re: Banyan water concern- the Town received 1 proposal on an hourly basis for no more than \$9500.

X. **Committee Reports**

A. **Sales and Rentals:** Director Brannen reported that the committee has been meeting monthly all summer. To date with the support of the office they have processed 70 rental applications for this season and 28 sales since last October.

B. **Seawall and Drainage Projects Progress Report – November 12, 2015 as reported by Director Oglesby, Board Liaison**

District 1 & 2:

All planned District 1 & 2 drainage improvement work is in place. After several periods of moderately heavy rains, the repairs/improvements appear to be working as designed and have significantly mitigated local street flooding on Cordova & Briny Breezes Blvd. as well as the “Lake Ruthmary” standing water. Much of this work was underground and you do not see it. A pump was installed on Cordova.

District 3 East and South Marina Seawalls & Pump Project;

The sections of the concrete seawall cap are in place (as of Sept 27). The footers and steel pin-piles for the Cement Bag sections of the seawall are in place and last Saturday (11/7/2015), the initial pour of the easternmost cement bag seawall between the two sections of Marina was performed. Plans are to make the second pour of this seawall cap and pour of the pump culvert shortly.

We are hoping to install the submersible pump next week, assuming that the above work is in place. The cap for the western most cement bag seawall is pending and we will continue to press Qualmann on this project element as well.

Future Work-District 4

This season, I will ask the Bulkhead, Seawall and Drainage Committee to consider and recommend raising the cap on the North Heron seawall where significant overtopping by

October high tides flooded North Heron and units adjacent to the overtopping.

I will also recommend evaluation of District 4 seawalls along the Intracoastal which were also overtopped by these high tides but did not result in street flooding. Finally, I think it's time to look at and evaluate the portions of South Heron, South Ibis, and to a lesser extent, Mallard that were flooded during these high tides to see what else can be done to mitigate the street flooding in these areas.

- C. **BBC-8: Director Gross** reported that BBC-8 is not listed as a Committee or a Club; Technology for BBC-8 is hooked up and ready to broadcast; check to see if you have 8001-press ok and you should see Briny Breezes as a choice; He further reported that a proposal to the Board re: the set-up for the Community Center's audio system is forthcoming.
- D. **Landscaping committee as reported by Director Joe Coyner** is almost completed with the well designed plan; there will be a demonstration on Flamingo showcasing beautiful landscaping durable for sun and salt and sand. Please join them at their meetings.
- E. **Orientation Committee- as reported by Sally Long-** the plan is to develop a Video that new shareholders and renters could view as well as face to face time. The committee could use volunteers to help. We need to do orientation! President Gallacher commented that there so much this property and community has to offer.

#### XI. Unfinished Business

- A. **Beach Structure – temporary (south end) permit requirements. Director McMorro** moved that the corporation apply for a permit to have this temporary structure installed for 6 months. Seconded. Discussion included that this was with no shareholders expense; surprised at how much property the Corporation owns, Briny has reclaimed the space; this was the case when we recovered the property through cleaning and removal of invasive plants; Shareholders: this is a project that is out of reach of the corporation; we do not own it- either the town owns it or the pocket owns it; an attractive nuisance, a liability hazard; thank you for the fence this has diminished the number of trespassers; since this structure was up there have been 2 incidences of trespassers; water spouts are not uncommon, this being a temporary structure on the highest point of the dune places it in danger of destruction; Access is both ways; if a shareholder tries to intervene, they have been told not do so but it takes the police 20 minutes to get there; may be moot given the question of property ownership; how about surveillance camera; we are being ignored by the police; is this a material alteration; who pays for this; continuation of the fence down to the beach is intimidating; will this tiny hut really attract outsiders? Ira Friedman offered clarification to the shareholders-no one on this Board asked him to do this, but he stated he was overwhelmed on the help that was offered; the timing of the project was intentional as it allowed him to work at the Chisler's prior to so many other members returning and the community would get to view the exhibit before a decision on permanency was reached.

*Director Oglesby moved that we withdraw approval of this project until such time we can determine whether or not the structure is on Corporate property and if it is on Corporate property, revisit it at that time. Director McMorro agreed and withdrew her motion.* Seconds were received. **Vote was unanimous.** Motion carried.

- B. **Clubs use of Employer Identification Numbers (EIN) and Audit: Treasurer Stewart** moved that we enforce the policy to have all Briny Clubs adhere to the requirements regarding the use of the Corporation EIN in the club checking accounts or that they close accounts with our EIN. Seconded. This continues to be at the insistence of our

auditor who has told us that the IRS could fine us as we have never reported club money; that there is no accountability for these funds and they must be reported monthly along with receipts. The Corporation needs all of the clubs to go to the bank and ask what EIN number is used; if it is the Corporation's then a protocol must be completed (monthly statements, receipts to support expenditures, and other income. If a Club does **not** use the Corporation's EIN and this has been verified by the Corporation, or given the more stringent protocol, chooses not to use it any longer, the club must close the account with the corporation's EIN number and bring proof to that effect. Clubs can set up their own EIN but it is costly and requires significant paperwork; The Corporation is working under a deadline and the reporting must go back to Oct. 1. 2015. This protocol will cost the Corporation, as this information will all need to be maintained in a separate database and submitted to the Auditor. This protocol expands what we had been previously told (submit twice a year) and increases accountability for everyone. Question was called. ***Vote was unanimous, motion carried.***

## **XI. New Business**

### **A. Board Ratification/Approval – Sales & Rentals**

- a. **Director Brannen moved that the Board approve the sales of Unit # K-8 Olsak to Diane Butler and Unit E-20 McEachern to Cataldo.** Seconded. Eleven rentals were approved at the last meeting Tuesday November 10, 2015. ***Vote was unanimous.*** Motion carried.

### **B. Board Discussion/Director Oglesby moved approval of drainage pipe across road repair near F208 Bay +/- \$4,500.00 operating expense roads and drainage;** Seconded. This funds for this project will come from #524 Seawall and Drainage. Question was called. ***All were in favor. Motion carried.***

- C. **Board Discussion – Town increases in water and police/fire and related matters** **Director Stewart moved to rescind the authorization of the \$75,000 additional monies for Fire and Police and request the Town of Briny Breezes return any payment already made.** Seconded. Director Stewart spoke to his motion: The possible golf cart project is being billed under the Police and Fire line items for the town with no transparency in the budget; to the best of the Corporation's knowledge there has to be an engineering study which is submitted to the FLDOT; the Corporation has not seen an RFP or other proposal to support the \$75,000 charge. What if it costs less or a decision is made not to go forward. Will the Corporation get the money returned? Budget years do not match up, and there is no easy explanation in either budget as we increase assessments to pay for this. The Town, President Sue Thaler responded indicating that if the town budget goes down, it will be reflected in the Corporation's bills; the project is on hold because we need more input; Following the explanation ***Director Stewart asked to rescind his motion. Motion to rescind was passed unanimously.*** An unexplained \$9000 increase was discovered recently; this reportedly is to fund an engineering study for the projected Banyan Blvd water main repairs. This was clarified to indicate that this includes the repair at \$108,000. Treasurer Stewart wants shareholders to know that some of the assessments are increases decided upon by the Town.

- D. Board Discussion – Golf Cart usage/issues and related – President Gallacher moved that the Corporation hold a meeting for the sole purposes to discuss the options and projected costs of golf cart usage.** This was seconded. This will be held prior to the Town meeting and will provide the Community with a fact/information sheet. Re: insurance costs, conversion estimate etc. Question was called. *Vote was unanimous.* Motion carried.
- E. Board Discussion/Approval – Briny’s financial contribution to the “barrier island fire district study”. Director Stewart made a motion to pay \$5000 (budget line item to be determined;) to contribute to a study or plan to include staffing, equipment, retrofitting older building and any new building for the purpose of establishing a barrier island fire district.** A second was received. Discussion: currently we pay \$939.00/day for Fire and Ambulance coverage; service to our community may be expedited given proximity; may not reflect significant cost savings currently but could in the future; we would have more say; Briny may have a loss of identity if we affiliate with the other communities; even the notion of competition might help with costs; small ambulance that could negotiate our streets; RFP vendors have been rated and one chosen; Question was called. *Vote was 7 in favor and 1 opposed (Coynor).* Motion carried.
- F. Board Discussion/Approval – credit card machine usage and fees; Director Oglesby made a motion to table.** This was seconded. *Vote was unanimous.* Motion carried.
- G. Board Approval - Changes/Updates to Committee Membership**
- a. **Director Oglesby moved that Eric Wolffbrant be added to the Violations and Fining Committee representing District 4 and Nancy Bocson moved from an “at large” representative to a District 1 representative and the Charlene Murray serve as Chair.** Seconded. *Vote was unanimous.* Motion carried.
- F. Adjournment : Motion made by Director Gross to adjourn at 11:47 A.M.** A second was received. *Vote was unanimous.* Meeting was adjourned.

**Respectfully submitted,**

**Susan J. Brannen, Secretary**

**Approved: 12.9.2015**